

AMENDMENTS TO THE CLAIMS

Please cancel claims 1-35

35. (Currently Amended) A method for providing a transaction to a user having a remote ~~audio capture~~ device, where the user is exposed to a music broadcast, the method comprising:

directly receiving from the remote ~~audio capture~~ device a signal, the signal including a captured sample of the music broadcast;

determining from the signal a characteristic of the captured sample;

determining the identity of the music in the captured sample using the signal characteristic; and

triggering a predetermined transaction with the user involving the music identified in the captured sample.

36. (Original) The method according to claim 35, wherein the predetermined transaction includes sales and purchase of merchandise.

37. (Original) The method according to claim 35, wherein the predetermined transaction includes an offer for sale of merchandise.

38. (Original) The method according to claim 37, wherein the offer for sale of merchandise includes an offer to sell recordings of music.

39. (Original) The method according to claim 38, wherein the recording is related to a characteristic of the captured sample.

40. (Original) The method according to claim 35, wherein the predetermined transaction includes furnishing and receiving information.

41. (Original) The method according to claim 35, wherein the predetermined transaction includes delivery of advertising or promotional offers.

42. (Original) The method according to claim 41, wherein the promotional offers include trial offers.

43. (Original) The method according to claim 41, wherein the promotional offers include offers to sell merchandise or services at discounted prices.

44. (Original) The method according to claim 35, wherein the predetermined transaction includes an exchange of information between a sales source and the user attendant to a sale of merchandise or services to the user.

45. (Original) The method according to claim 37, wherein the offer is selected in response to a profile of the user.

46. (Original) The method according to claim 37, wherein the offer is selected in response to history of transactions completed with the user.

47. (Currently Amended) A method for identifying music to a user, the user having a remote ~~audio capture~~ device, the method comprising:

receiving a signal directly from the remote ~~audio capture~~ device, the signal including a captured sample of the music from the user; wherein the music is audible by the user and the captured sample includes a sample of the music;

determining from the signal a characteristic of the captured sample;

comparing the characteristic of the captured sample to a characteristic associated with identity records contained in a database; and

locating an identity record corresponding to the captured sample according to a result of the comparison.

48. (Cancelled)

49. (Previously Presented) The method according to claim 47, further including returning the identity record to the user.

50. (Previously Presented) The method according to claim 47, further including offering to sell to the user a recording including at least a song which corresponds to the located identity record.

51. (Previously Presented) The method according to claim 47, further including offering to provide to the user information relating to the located identity record.

52. (Previously Presented) The method according to claim 47, further including a step of playing a recording of a song corresponding to the located identity record to the user.

53. (Previously Presented) The method according to claim 47, further including a step of offering to sell merchandise.

54. (Original) The method according to claim 53, wherein the merchandise relates to the located identity record.

55. (Previously Presented) The method according to claim 47, further including offering to sell live performance tickets.

56. (Original) The method according to claim 55, wherein the live performance tickets relate to the located identity record.

57. (Previously Presented) The method according to claim 47, further including offering to sell record albums to be released at a future time.

58. (Previously Presented) The method according to claim 47, further including offering to provide information pertaining to a location of retail music establishments.

59. (Original) The method according to claim 58, wherein the information further includes information pertaining to a location of retail music establishments that are in close proximity to the user.

60. (Previously Presented) The method according to claim 47, further including downloading media to a user device.

61. (Original) The method according to claim 60, wherein the download media includes a pre-recorded song corresponding to the located identity record.

62. (Original) The method according to claim 60, wherein the user device is selected from the group consisting of PCs, PDAs, internet access devices, wireless internet devices, mobile telephones, wireless information devices, and pagers.

63. (Previously Presented) The method according to claim 47, further including receiving commands from the user in response to the returned identity record.

64. (Original) The method according to claim 63, further including performing an additional predetermined step in response to the command.

65. (Original) The method according to claim 64, wherein the predetermined step includes delivering a message to a third party.

66. (Original) The method according to claim 65, wherein the message includes a recommendation of music corresponding to the located identity record.

67. (Original) The method according to claim 64, wherein the predetermined step includes a collection of data indicative of music popularity.

68. (Original) The method according to claim 67, wherein the collected data includes data received from the user.

69. (Original) The method according to claim 64, wherein the predetermined step includes playing additional songs not associated with the located identity record to the user.

70. (Original) The method according to claim 64, wherein the predetermined step includes locating one or more music performance artists marching a predetermined criterion.

71. (Original) The method according to claim 70, wherein the criterion includes similarity of the one or more music performance artists to an artist associated with the located identity record.

72. (Original) The method according to claim 64, wherein the predetermined step includes providing a critical review of a music performance artist associated with the located identity record.

73. (Original) The method according to claim 64, wherein the predetermined step includes providing critical review of a record album containing a song corresponding to the located identity record.

74. (Original) The method according to claim 64, wherein the predetermined step includes providing information pertaining to popularity of a song or music performance artist associated with the located identity record.

75. (Original) The method according to claim 64, wherein the predetermined step includes delivering information to the user.

76. (Original) The method according to claim 75, wherein the information pertains to the located identity record.

77. (Original) The method according to claim 75, wherein the information is delivered in an SMS format.

78. (Original) The method according to claim 75, wherein the information pertains to new album releases.

79. (Original) The method according to claim 76, wherein the information pertains to scheduling of concerts.

80. (Original) The method according to claim 79, wherein the concert is related to the located identity record.

81. (Previously Presented) The method according to claim 47, further including storing the captured sample.

82. (Original) The method according to claim 64, wherein the predetermined step includes delivering an excerpt of a recording of a song corresponding to the located identity record.

83. (Original) The method according to claim 72, wherein the excerpt is delivered to the user.

84. (Original) The method according to claim 72, wherein the excerpt is delivered to a third party.

85. (Previously Amended) A method for identifying music to a user exposed to a broadcast that includes unidentified music, comprising:

receiving a signal including a captured sample of the broadcast from a cell phone of the user, the cell phone transmitting the captured signal over the cellular network, said broadcast comprising music;

determining from the signal a characteristic of the captured sample;

comparing the characteristic of the captured sample to a characteristic associated with an identity record contained in a database;

attempting to locate an identity record corresponding to the captured sample according to a result of the comparison; and

storing the captured sample if the location attempt is unsuccessful.

86. (Original) The method according to claim 85, further including delivering the captured sample to remote locations.

87. (Original) The method according to claim 85, wherein the delivered captured samples are used in games or contests involving attempts to identify the unidentified music.

88. (Previously Amended) A method for identifying music to a user exposed to a broadcast, which includes unidentified music, comprising:

receiving a signal from a cell phone of the user, the signal including a captured sample of the broadcast from the user, said broadcast comprising music;

determining from the signal a characteristic of the captured sample;

comparing the characteristic of the captured sample to a characteristic associated with an identity record contained in a database;

attempting to locate an identity record corresponding to the captured sample according to a result of the comparison; and

providing an interactive interface for the user to store manipulate data associated with a successfully located identity record.

89. (Original) The method according to claim 88, wherein the interface is selected from the group consisting of real-time interfaces, offline interfaces, and combinations thereof.

90. (Original) The method according to claim 89, wherein the offline interface is selected from the group consisting of internet browsers, email, SMS messaging, and combinations thereof.

91. (Original) The method according to claim 88, wherein the interface is arranged to allow the user to store, retrieve and forward the data.

92. (Original) The method according to claim 88, wherein the interface is arranged to allow the user to communicate with third parties.

93. (Original) The method according to claim 88, wherein the interface is arranged to allow the user to participate in games or contests.

94. (Original) The method according to claim 93, wherein the games or contests include identifying unidentified songs.

95. (Original) The method according to claim 88, wherein the interface is arranged to allow the user to forward data to a website.

96. (Original) The method according to claim 95, wherein the website is configured to provide personalized radio station services to the user.

Please cancel claims 97-107.